

BK0366PG0081

STATE OF MISSISSIPPI

STATE MS - DESOTO CO. *ms*

**BELLSOUTH**

COUNTY OF DeSoto

JAN 19 10 07 AM '00

Preparer's name and address  
(Return document to the  
BellSouth address on back)  
Parsons Telecom, Inc.  
3855 Outland Rd.  
Memphis, Tn 38118  
901-362-0697

BK. 366 PG. 81  
WE

NW1/4 Section 3, T2S, R9W

**EASEMENT - INCLUDING GENERATORS AND FUEL SUPPLY SYSTEMS**

For and in consideration of four thousand five hundred dollars(\$ 4,500.00)and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the undersigned owner(s) of the premises described below, hereinafter referred to as Grantor, do(es) hereby grant to **BELLSOUTH TELECOMMUNICATIONS, INC.**, a Georgia corporation, its licensees, agents, successors, assigns, and allied and associated companies, hereinafter referred to as Grantee, an easement to construct, operate, maintain, add, and/or remove such systems of communications, facilities, stand by generators and associated fuel supply systems as a means of providing uninterrupted service during commercial power outages, or related services as the Grantee may from time to time require upon, over, and under a portion of the lands described in Deed Book 360, Page 712, DeSoto County, Mississippi Records, and, to the fullest extent the grantor has the power to grant, upon, over, along, and under the roads, streets, or highways adjoining or through said property. The said easement is more particularly described as follows:

All that tract of land lying in Section 3, Township 2S, Range 9W, Meridian, DeSoto County, State of Mississippi, consisting of a parcel of land 16'x20' plus a five (5) feet wide strip of land running from the easement site to the eastern right of way line of Delta View Road right of way easement Belonging to Robert E. Smith. For legal description please see attached survey prepared by Ghassemi and Associates, Inc. 2904 Hickory Hill Rd. Memphis, TN 38115 901-352-7100

The following rights are also granted: the right, consistent with law, to allow any other person, firm, or corporation to attach wires or lay cable or conduit or other appurtenances upon, over, and under said easement for communications or electric power transmission or distribution; ingress to and egress from said easement at all times; the right, but not the obligation, to clear easement and keep it cleared of all trees, undergrowth, or other obstructions; the right but not the obligation, to trim and cut and keep trimmed and cut all dead, weak, leaning, or dangerous trees or limbs outside the easement which might interfere with or fall upon the lines or systems of communication or power transmission or distribution; the right to relocate said facilities, systems of communications, or related services on said lands to conform to any future highway relocation, widening, or improvements; the right to conduct site evaluations and /or other above and below ground tests and surveys deemed necessary by Grantee; and the right to test and maintain generators and associated equipment.

To have and to hold the above granted easement unto BellSouth Telecommunications, Inc. its licensees, agents, successors, assigns, and allied and associated companies forever and in perpetuity.

Grantor warrants that grantor is the true owner of record of the above described land on which the aforesaid easement is granted.

**SPECIAL STIPULATIONS OR COMMENTS:**

The following special stipulations shall control in the event of conflict with any of the foregoing easement:

It is agreed between Grantor and Grantee that Grantee will use nearest available parking space for maintenance vehicles. It is also agreed that \$500.00 of the above stated consideration is paid to Grantor for landscaping around easement area. It is agreed this landscaping will not at any time interfere with the access or ingress to and egress from easement area.

In witness whereof, the undersigned has/have caused this instrument to be executed on the 19<sup>th</sup> day of Jan, 2000.

Signed, sealed, and delivered in the presence of:

Linda H. Smith  
Witness:

Robert E. Smith  
Owner: Robert E. Smith

Anna Bradley  
Witness:

Owner:

State of Mississippi  
County of DeSoto

Personally appeared before me, the undersigned authority in and for the said county and state, on this 19<sup>th</sup> day of January, 2000, within my jurisdiction, the within named Robert E. Smith Who acknowledged that he (she) executed the above and foregoing instrument.

Theresa Dadrigh  
Notary Public



My Commission Expires:

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: July 8, 2002  
BONDED THROUGH NOTARY PUBLIC UNDERWRITERS

Grantor's Address:

Robert E. Smith  
7768 Michael Dr.  
Lake Cormorant, MS 38641  
Work 662-781-0096  
Home 662-781-0096

Grantee's Address:

BELLSOUTH TELECOMMUNICATIONS, INC.  
3855 OUTLAND ROAD  
MEMPHIS, TN 38118  
901-797-3531

TO BE COMPLETED BY BELLSOUTH TELECOMMUNICATIONS, INC.

|                     |                      |                         |                        |
|---------------------|----------------------|-------------------------|------------------------|
| District<br>Memphis | FRC<br>R257C         | Wire Center<br>Westwood | Authority<br>98T00119N |
| Drawing             | Area Number<br>800XP | Plat Number<br>2973     | R/W Number             |

Approval C. T. Miles Title Area Manager

LEGAL DESCRIPTIONS

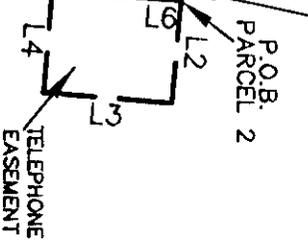
PARCEL 1 - INGRESS/EGRESS

Commencing at the Northwest corner of Section 3, Township 2 South, Range 9 West, Thence: North 80 degrees, 00 minutes, 00 seconds West, a distance of 167.96 feet to a point, Thence: South 00 degrees, 00 minutes, 00 seconds West, a distance of 82.36 feet to a point, Thence: South 90 degrees, 00 minutes, 00 seconds East, a distance of 63.27 feet to a point, said point being the Point of Beginning of said 5 foot Ingress/egress easement, Thence: South 85 degrees, 05 minutes, 20 seconds East, a distance of 10.00 feet to a set iron pin, Thence: South 04 degrees, 54 minutes, 40 seconds West, a distance of 10.00 feet to a point on the East line of Delta View Road, Thence: along the East line of said Delta View Road, North 04 degrees, 54 minutes, 40 seconds East, a distance of 5.00 feet to a set iron pin, said point being the Point of Beginning of said easement containing 30 square feet or 0.0011 acres more or less of land.

PARCEL 2 - TELEPHONE EASEMENT

Commencing at the Northwest corner of Section 3, Township 2 South, Range 9 West, Thence: North 80 degrees, 00 minutes, 00 seconds West, a distance of 167.96 feet to a point, Thence: South 00 degrees, 00 minutes, 00 seconds West, a distance of 82.36 feet to a point, Thence: South 90 degrees, 00 minutes, 00 seconds East, a distance of 63.27 feet to a point, Thence: South 85 degrees, 05 minutes, 20 seconds East, a distance of 10.00 feet to a set iron pin, said point being the Point of Beginning of said Telephone Easement, Thence: South 85 degrees, 05 minutes, 20 seconds East, a distance of 16.00 feet to a set iron pin, Thence: South 04 degrees, 54 minutes, 40 seconds West, a distance of 20.00 feet to a set iron pin, Thence: North 85 degrees, 05 minutes, 20 seconds West, a distance of 18.00 feet to a point, Thence: North 04 degrees, 54 minutes, 40 seconds East, a distance of 20.00 feet to a set iron pin, said point being the Point of Beginning of said easement containing 320 square feet or 0.0073 acres more or less of land.

INGRESS/EGRESS EASEMENT

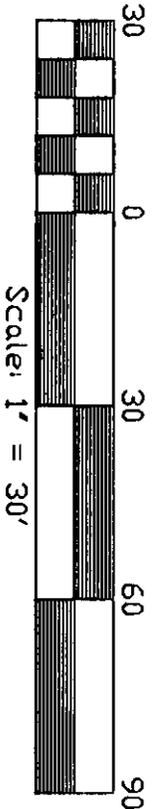


ROBERT E. SMITH  
BOOK 360, PG 712

PROPERTY LINE

NOTE:  
ORIGINAL BOUNDARY SURVEY BY:  
BEN SMITH ENGINEERING INC.  
DATED JULY 7, 1999

| NUMBER | DISTANCE | DIRECTION     |
|--------|----------|---------------|
| L1     | 10.00 FT | S 85°05'20" E |
| L2     | 16.00 FT | S 85°05'20" E |
| L3     | 20.00 FT | S 04°54'40" W |
| L4     | 16.00 FT | N 85°05'20" W |
| L5     | 10.00 FT | N 85°05'20" W |
| L6     | 5.00 FT  | S 04°54'40" W |
| L7     | 15.00 FT | N 04°54'40" E |
| L8     | 5.00 FT  | N 04°54'40" E |



Scale: 1" = 30'

GENERAL NOTES:

- 1- SUBJECT PROPERTY IS LOCATED IN SHADED ZONE "X" PER FIRM MAP PANEL NO. 28033C0020 D. SHADED ZONE "X" IS AN AREA DETERMINED TO BE INSIDE 500 YEAR FLOOD PLAIN PER FIRM MAPS.
- 2- THERE ARE NO VISIBLE ENCROACHMENTS ON THIS PROPERTY.
- 3- CHASSEMI & ASSOCIATES DID NOT DO TITLE SEARCH AND IS NOT RESPONSIBLE FOR ACCURACY OF TITLE WORK

SURVEY OF

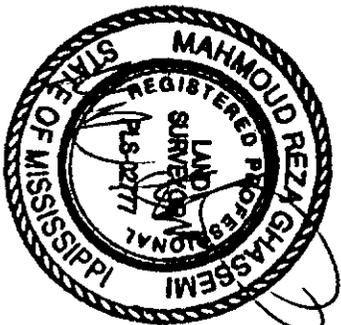
A PROPOSED 320 SQUARE FOOT EASEMENT  
AND A 5 FOOT INGRESS/EGRESS EASEMENT  
BEING PART OF THE PROPERTY  
AS RECORDED IN BOOK 360, PG 712

PROPERTY INFORMATION:  
SOUTHEAST CORNER OF  
NEW HIGHWAY 601 AND  
DELTA VIEW ROAD

RECORDED IN:  
BOOK 360, PAGE 712  
CHANDLER COURT CLERK'S OFFICE  
DESOTO COUNTY MISSISSIPPI

SURVEY DATE: 01/13/2000

MR. Ghossein, PE, RLS  
Survey TN Lic. No. 1554  
Survey MS PLS. No. 02777  
PE TN Lic. No. 100956  
DWC No. 992190A  
DWC BY: JMH  
Prepared By:



CHASSEMI & ASSOCIATES  
ENGINEERS • PLANNERS • SURVEYORS  
2904 HICKORY HILL ROAD  
MEMPHIS, TENNESSEE 38115  
(901) 452-7100